

## GENOVA, BURNS &amp; VERNIOIA

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June 6, 2007

**VIA ELECTRONIC FILING**

Honorable James C. Francis. U.S.M.J..  
 United States District Court  
 for the Southern District of New York  
 U.S. Courthouse – Room 1960  
 500 Pearl Street  
 New York, NY 1007-1312

**Re: Board of Trustees of the 1199 SEIU Greater New York Benefit Fund, *et al.*  
 v. JFK Hartwyck at Cedar Brook Estates  
 Civil Action No. 07-cv-3744**

Dear Magistrate Francis:

This office represents the Defendant, JFK Hartwyck at Cedar Brook, in the above-captioned action. Plaintiffs, Board of Trustees of the 1199 SEIU Greater New York Benefit Fund and Board of Trustees of the 1199 SEIU Greater New York Education Fund (collectively "Plaintiffs"), served their Complaint on Defendant on May 18, 2007, requiring Defendant to Answer or otherwise respond by June 7, 2007.

Defendant respectfully requests this Court to extend Defendant's time to Answer or otherwise respond to Plaintiffs' Complaint to June 28, 2007, in order to allow Defendant adequate time to investigate Plaintiffs' claims and prepare its response. Plaintiffs' counsel has consented to this request.

Accordingly, enclosed please find a Consent Order Extending Time to Answer signed by counsel for Plaintiffs and Defendant. If the enclosed Consent Order meets with the Court's approval, it is respectfully requested that same be forwarded to the Clerk for filing.

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Hon. James C. Francis, U.S.M.J.

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Thank you for Your Honor's time and consideration.

Respectfully submitted,

**GENOVA, BURNS & VERNIOIA**

  
Kathleen Barnett Einhorn

KBE:mw

Enclosure

c: Lowell Peterson, Esq. (w/encl.)(via electronic filing and regular mail)